

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
James Temple Paul  
Elaine Anna Paul  
Debtors

Case No. 19-02895-HWV  
Chapter 13

District/off: 0314-1  
Date Rcvd: Feb 15, 2022

User: AutoDocke  
Form ID: pdf010

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol**      **Definition**

+      Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 17, 2022:**

NONE

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
	+ Email/Text: bankruptcy@huntington.com	Feb 15 2022 18:44:00	HUNTINGTON NATIONAL BANK, OFFICER MANAGER AGENT, 5555 CLEVELAND STREET, COLUMBUS, OH 43231-4048

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 17, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 15, 2022 at the address(es) listed below:

Name	Email Address
Ann E. Swartz	on behalf of Creditor The Huntington National Bank or its Successor or ecfmail@readingch13.com, ecfmail@ecf.courtdrive.com
Jack N Zaharopoulos (Trustee)	TWeclf@pamdl3trustee.com
James Warmbrodt	on behalf of Creditor The Huntington National Bank bkgroup@kmllawgroup.com
James Warmbrodt	on behalf of Creditor Huntington Bank bkgroup@kmllawgroup.com

Lisa A Rynard

on behalf of Debtor 2 Elaine Anna Paul larynard@larynardlaw.com

Lisa A Rynard

on behalf of Debtor 1 James Temple Paul larynard@larynardlaw.com

Marisa Myers Cohen

on behalf of Creditor The Huntington National Bank ecfmail@mwc-law.com

United States Trustee

ustpregion03.ha.ecf@usdoj.gov

**TOTAL: 8**

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
JAMES TEMPLE PAUL	:	CASE NO. 1-19-02895-HWV
ELAINE ANNA PAUL	:	
Debtors	:	
JAMES TEMPLE PAUL	:	
ELAINE ANNA PAUL	:	
Movants	:	
v.	:	12 Victor Drive
	:	Biglerville, Pennsylvania
HUNTINGTON NATIONAL BANK;	:	
JACK N. ZAHAROPOULOS, ESQUIRE,	:	
CHAPTER 13 TRUSTEE	:	
Respondents	:	

**ORDER APPROVING SALE OF REAL PROPERTY FREE AND CLEAR OF  
LIENS AND ENCUMBRANCES AND APPROVING DISTRIBUTION OF  
PROCEEDS**

The Motion of James Paul Temple and Elaine Anna Temple to Approve the Sale of Real Property Free and Clear of Liens and encumbrances and Approving Distribution of Proceeds (“Motion”) having come this day before the Court, and following notice to creditors in the above case and an opportunity for hearing thereon, and the Court believing that the sale of the Real Property (as defined below) is in the best interests of the Debtors and their estate, and that such sale is made in good faith, and the consideration offered is fair and reasonable, it is

HEREBY ORDERED that:

1. James Paul Temple and Elaine Anna Temple, Debtors herein, is authorized to sell the Real Property being known as and having location as follows:

12 Victor Drive, Biglerville, Adams County, Pennsylvania

(the “Real Property”), as defined by and under the terms of and pursuant to those certain Agreements between the Debtors, as Seller, and Rohit Patel, as Buyer (the “Agreement”), and as set forth in the Motion. Such sale shall be to Rohit Patel for the total consideration of \$288,000.00.

2. The sale of the Real Property shall be free and clear of all liens, claims, and encumbrances. All Liens will attach to the proceeds in the order of their priority subject

to the distribution set forth in this Order. The secured liens against the Real Property include a mortgage in favor of Huntington National Bank.

3. The distribution of funds generated by the sale of the Real Property shall be as follows:

- a. Past due real estate taxes and municipal bills including water and sewer pro rated to the date of settlement;
- b. One percent (1%) transfer tax, notarization fee and incidental recording fees and other normal and customary costs associated with the sale of real property in Pennsylvania;
- c. Realtor commission of five percent (5%), plus \$450.00 to Judy Gill and Coldwell Banker Realty;
- d. Attorney fees and costs to Law Office of Lisa A. Rynard in the amount of \$3,000.00 in connection with this transaction;
- e. Payoff to Huntington National Bank in full satisfaction on account of its mortgage at time of closing; and
- f. Balance of proceeds to Debtors on account of their exemption..

4. The Debtors are empowered and ordered to execute any and all documents necessary to effectuate the sale of the Real Property.

5. Federal Rule 6004(h) is not applicable, and the real Property may be sold and purchased promptly.

6. Upon payment of the appropriate fee, the Clerk's Office shall provide the Debtors with certified copies of this Order, as are necessary to establish the sale of the Real Property free and Clear of all liens, claims, and encumbrances.

7. In the event there is a dispute as to the disposition of any sale proceeds net of the aforesaid costs of sale identified above in Paragraph 3 of this Order, then the Sale Transaction shall proceed, and any disputed proceeds shall be deposited with, and held in escrow, by the Debtors' bankruptcy counsel, Lisa A. Rynard, Esquire, Law Office of Lisa A. Rynard pending further Order of this Court.

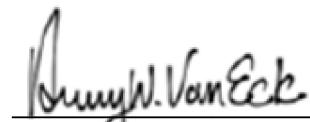
8. Buyer is a good faith purchaser within the meaning of 11 U.S.C. §363(m) and In re Abbotts Dairies of Pennsylvania, Inc., 788 F.2n 142 (3<sup>rd</sup> Cir. 1986).

9. The Court shall retain jurisdiction (a) to enforce and implement the terms and provisions of the sale and the Sale Transaction and each of the agreements, instruments, and documents executed in connection therewith; (b) to enforce this Order and to bar the

enforcement of any Liens and Claims or other liabilities, except as otherwise assumed, against Buyer or the Real Property; (c) to compel delivery of the deed to the Real Property to Buyer; (d) to resolve any disputes arising under or related to the sale and/or Sale Transaction; and (e) to interpret, implement, and enforce the provisions of this Order.

10. The terms and provision of this Order shall be binding in all respects upon, and shall inure to the benefit of, Debtor, this bankruptcy estate, its creditors, and the Buyer, and its respective heirs, representatives, administrators, successors, and assigns, and any affected third parties, including but not limited to any person that asserts or may assert any liens and claims against, or in, this bankruptcy estate or the Real Property, and any bankruptcy trustee of the Debtors who herein after may be appointed.

By the Court,



Henry W. Van Eck, Chief Bankruptcy Judge  
Dated: February 15, 2022